

**ORDINANCE NO. 2
SERIES 2003**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON AMENDING SECTION 5-2-2 OF THE CITY CODE OF THE CITY OF GUNNISON, PART 18, SECTION 1801, OF THE MODEL TRAFFIC CODE FOR COLORADO MUNICIPALITIES, REGARDING AUTHORITY TO IMPOUND MOTOR VEHICLES ABANDONED ON PUBLIC OR PRIVATE PROPERTY.

WHEREAS, the City of Gunnison has previously adopted the Model Traffic Code for Colorado Municipalities, with certain amendments thereto, which are set forth in Section 5-2-2 of the City Code of the City of Gunnison; and

WHEREAS, the Colorado State Legislature did, in 2002, amend certain of the provisions of the State statutes regarding abandoned vehicles; and

WHEREAS, the City Council is desirous of amending the City Code of the City of Gunnison in order to bring the provisions of the City Code into conformance with the provisions of the State statute;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:

Section 1. Section 5-2-2, Additions or Modifications, Part 18, Towing and Storage, Section 1801, Authority to Impound Vehicles, subsections (a), (b), and (c), are hereby amended to read as follows:

(a) Whenever any police officer or neighborhood services officer finds a vehicle, attended or unattended, standing upon any portion of a street or highway right-of-way within this municipality in such a manner as to constitute a violation of Section 1203 of this Code, or left unattended for a period of forty eight (48) hours or more and presumed to be abandoned under the conditions described by 42-4-1802(1), C.R.S., as amended, such officer shall require such vehicle to be removed or cause the same to be removed and placed in storage in the nearest garage or place of safety designated or maintained by this municipality.

(b) In the event of abandonment of a vehicle on property within this municipality other than public rights-of-way, the owner of such property may notify the police department, and said police shall, after a period of forty eight (48) hours, cause said vehicle to be removed and placed in storage in the nearest garage or other place of safety designated or maintained by this municipality.

(c) Vehicles removed from streets or highways and other property within this municipality and placed in storage as provided in Section 1801 of this Code shall be disposed of in accordance with the provisions of Title 42, Article 4, Part 18, C.R.S.

Section 2. Except as specifically modified herein, all the remaining portions of Section 5-2-2, Part 18, Section 1801, of the City Code of the City of Gunnison, shall remain in full force and effect.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 25th day of March, 2003, on first reading, and introduced, read, and adopted on second and final reading this 8th day of April, 2003.

Mayor

ATTEST:

City Clerk